

The Story of Kirkmichael

The provenance of this paper is not known. It was passed onto Rev. Louis Bezuidenhout, Minister at Kirkmichael, as part of a folio of old papers connected with the parish. The original is a typewritten document, over 18 pages, but there are some blanks and question marks in the original text, which suggest the typescript may itself have been a transcription of an earlier, possibly handwritten, paper. It is believed the original dates from before 1919.

Except for obvious spelling errors, the terms of the original manuscript are reproduced verbatim, although additional paragraph breaks have been introduced to aid readability. Where the present editor has a query regarding the terms of the text, or has edited it, this is shown in red. Surnames and place-names have been rendered generally verbatim, even where spelling of these varies between one sentence and another.

If any reader can throw further light on the provenance of the paper then I should be pleased to hear from them

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The story of the Parish of Kirkmichael is so bound up with the history of some of the Cadet branches of the Johnstone family that some account of it is not out of place in the volume, more particularly as it has not been attempted before. The present Parish covers a considerably greater area than it did in former times, having been amalgamated in [1663 or 1664] with the small Parish of Garvald. Both these parishes, however, seem to have been comprehended in the Barony of Kirkmichael.

No records relative to Kirkmichael, prior to the War of Independence, are known to exist. The Norman family of Mowbray, who had owned them previously to that conflict, had forfeited their estates. At what date they obtained the Barony is unknown and scarcely any record of their possession survived, but it is possible they may have acquired Kirkmichael by marriage, and that its previous owners may have been the Comyn family. The Scottish family of Mowbray is descended from Sir Philip de Mowbray, brother of William de Mowbray, the ancestor of the Dukes of Norfolk. Sir Philip, like so many other sons of Norman families, obtained grants of land in Scotland at the time of William the Lion, and owned lands in Cumberland as well. These must have been acquired in right of his wife, Galiana, daughter of Waldave, son of Gospatric, the former of whom owned Inverkeithing and Dalmeny in Scotland and Bassenthwaite in Cumberland. At Waldave's death his lands were divided between his two daughters, Galiana and Christiana, wife of Duncan

Lascelles. Inverkeithing and Dalmeny undoubtedly were owned by Mowbray's descendants, also the Manor of Boulton in Bassenthwaite, though not without litigation with Christiana.

Two generations later the head of the Scottish family of Mowbray was Sir Sir Geoffrey de Mowbray, who through his marriage with the unnamed second daughter of John Gregor of Badenoch the 'Red' espoused the claims of the family to the Crown of Scotland. From his grandfather he inherited the Manor of Boulton in Cumberland, which had belonged to his uncle, Roger, whose heir he was. Though there is no direct evidence, it is quite possible that Sir Geoffrey may have acquired Kirkmichael, through his wife.

It certainly was in possession of his son. Sir Geoffrey had at least six sons, five of whom are named by Wintoun. The best known one was Sir Roger de Mowbray, who is said to have been the Standard Bearer of Bruce at Bannockburn, for which his Manor of Boulton in Cumberland was promptly forfeited to the English King. Sir Roger owned the Barony of Kirkmichael as Lord Superior, but it is more than likely that his brother Philip had a part of it from him as in fee.

Unlike his brother, Sir Philip Mowbray seems to have supported the English until Bannockburn. He is even stated to have unhorsed the redoubtable Bruce at Methven, 1306, and as reward for his efforts to capture that elusive King, was made Governor of Stirling Castle. It was his action in agreeing to surrender that Castle unless relieved within that led to battle of Bannockburn. After Bannockburn he sided with the Scottish cause, escaping forfeiture perhaps through the good offices of his more patriotic brother Sir Roger.

He is stated to have fallen at Dundalk, 1318, with Edward Bruce, being succeeded by an only son, Sir John Mowbray, who has been identified with the Sir John who was killed at Balliol's rout at 1332. At first sight, it is strange to find Sir John Sir John fighting for Baliol against his Bruce King, but it must be remembered that his uncle, Sir Roger and his cousin Sir John Mowbray, son of that Sir Roger, had both suffered forfeiture and death in 1320 for participation in the obscure conspiracy of Sir John Soulis. Amongst the estates enumerated, as forfeited by Sir Roger and his son figures Kirkmichael, which as already stated, was held beyond question by Sir Philip de Mowbray. Perhaps the explanation of this difficulty, is that Sir Roger may have held the Barony of Kirkmichael in capite of the Scottish Crown and that his brother Philip had it from him

in fee. In due course, the son of Sir Philip was slain as enemy and rebel. His lands were at once forfeited.

Conditions in Scotland, where guardian after guardian, arose, tumbled and disappeared, were far too confused. The King himself, a mere child had to fly to France and the English interests must have been supreme in Dumfries-shire. Claimants at once arose in Kirkmichael. In addition to his son, Sir Philip de Mowbray left three daughters all married to Englishmen. They petitioned the English Crown for infeftment in the Barony of Kirkmichael and were opposed by Sir Alexander de Mowbray, who was most probably their cousin.

The result of their petition is not known, but both claimants had a strong following in Scotland. David, Earl of Atholl, espoused the cause of the daughters, and there can be little doubt that the dispute figured largely as one of the causes of the Battle of Kilblain, where Atholl was slain by the patriotic party which included William Douglas of Liddlesdale.

A month before 1335 Sir Alexander had made his peace with England and the following March was granted by the English King the custody of Atholl's Seat of Dalswinton Castle. Perhaps with it was included Kirkmichael, but his possession can only have been fleeting. The political feudalism [pendulum?] swung back once more. King David returned from France in June 1341 and at once all the lands of Sir John Mowbray "our enemy and slain rebel" which he had held as successor to his father, Sir Philip, were granted to Sir William Douglas of Liddlesdale, to whom Atholl's lands were also granted.

Now it is clear that the Mowbray lands, granted to Douglas, did not include the superiority of the Barony, for it can be shown that Douglas's descendants in 1367 only owned about half of the Barony, acquiring the rest of it comprehending Raehills in 1360 from the Currie's; and it is further known that when Sir Roger Mowbray's interest in Kirkmichael terminated on his forfeiture and death, the Scottish crown granted it to a member of the family of the Earls of Crawford, who for several generations retained it. It can be demonstrated that the Crawfords held the Superiority only. This must then have been the interest of Sir Roger de Mowbray.

We are therefore reduced to this conclusion: Sir Roger de Mowbray owned the superiority of the Barony of Kirkmichael; his brother Sir Philip held a large part of the Barony in fee of Sir Roger, and does not ever seem to have held the Superiority in spite of the perplexing English

Record of 1335; the rest of the Barony was held of Sir Roger by other fears [fee-ers?] – such as John de Normanville who held Cronyntoun and Monygip.

On Sir Roger's forfeiture the Superiority was vested in the Lindsays of Crawford, and on the forfeiture of Sir Philip's son, his major part of the Barony held in fee first from Sir Roger and later from the Lindsays, passed to the Douglasses shortly after 1320 on the forfeiture of Sir Roger de Mowbray.

Bruce granted superiority of the Barony to William Lindsay, Canon of Glasgow and younger brother of Sir David de Lindsay, Lord of Crawford. William was a well-known Churchman, Rector of Ayr, and Chamberlain of Scotland in 1317. He died before 1339. As a cleric he would leave no issue and his estate would devolve on his brother, though there is no definite evidence to this effect – yet the Barony of Kirkmichael was undoubtedly owned by his grand-nephew. During the Canon's lifetime, Annan was practically an appendage of England and the Canon can have derived no usufruct from Kirkmichael. But by 1375 the tide had turned once more and Sir James de Lindsay, Lord of Crawford, received from King Robert II, a Charter confirming the previous grant to his forebear, the Canon, of the Barony of Kirkmichael.

The Superiority

Before following the devolution of the ownership of Kirkmichael, it will be simpler to trace the superiority. Beyond nominal infeftment in an interest which in later time produced an annual income of a pound of pepper and occasional casualties but which in feudal times was rendered valuable by the obligatory services of the tenants in fee and their followers. There is nothing to record of these superiors who otherwise figure but little in local history. These superiors can therefore be dealt with briefly.

Till late in the 15th century the earls of Crawford retained the Superiority and probably actual possession of part of the Barony, and part at least of it must have been subject to the terce (?) of The Dowager Countess of the Earl, for in January 1463/4 she resigned her lands in the Barony infavour of her son, Earl David, in return for her lands in Forfar. There can be little doubt that these lands were identical with property granted that March by the earl to Herbert Johnstone of Dalebank. The same Earl in 1474 resigned the lands in favour of his son and heir Alexander. Two

years later Alexander Lyndsay was engaged in a law suit ..?..... Lord Crichtoun concerning the lands.

Crichtoun as will be seen acquired a great part of the Barony in 1439 from the Douglasses of Dalkeith, to which transfer the consent of the Earl as superior had been obtained. By 1450 Crichtoun had increased the feudal importance of his property by acquiring from the Earl of Crawford the superiority of the Barony. Crichtoun now held direct from the Crown by annual payment of a silver penny.

In 1483, William, 3rd Lord Crichtoun, was forfeited for rebellion and his lands were disposed of by the Crown, as will be related. The Superiority was granted to a Court favourite one John Ramsay, who in February 1483 obtained a Crown grant of the Lordship of Bothwell, which must have included the Superiority of Kirkmichael....The title of Lord Bothwell was an unlucky **one** to all its holders. In 1488 Ramsay was forfeited and the Lordship, of which Kirkmichael is specifically stated to have been a part, was granted to Sir Patrick Hepburn, Lord Hailes, who was created Earl of Bothwell.

His great-grandson James, 4th Earl of Bothwell, notorious in Scottish history, was forfeited in 1567 for his abduction of, **and marriage to**, Mary Queen of Scots. By her will dated 7th February, 1577/8, that unfortunate Queen begged her son James VI to bestow the Bothwell estates on her godson Francis Stewart Lord Darnley, Commandater of Kelso. King James was in no hurry to comply. The estates now in the hands of the Crown were a lucrative asset, so it was not until 1581 the grant was made and Francis became Earl of Bothwell. This grant included the Superiority of Kirkmichael.

But the usual fate overtook the next Earl. In 1593 he was forfeited two years later (?) and attainted and fled to Naples where he died. His lands, or at least that part of them composed of the Lordship of Hailes (still including Kirkmichael) were granted to Ludovic, Duke of Lennox, who resigned in 1594 in favour of Sir Walter Scott of Branxholm. The last named descendant Earl of Buccleuch resigned in 1648 the Lordship along with the Superiority of the Barony of Kirkmichael in favour of George Earl of Winton.

Kirkpatrick Estates

Apart from the Raehills portion, the Barony of Kirkmichael for long was vested in the Earls of Crawford, but their interest can only have been that

of Superiority, for in 1342 Sir William Douglas Knight of Liddesdale received a Crown grant of all the lands that belonged to Sir John de Mowbray “slain rebel” and the late Sir Philip de Mowbray, with their appurtenances to be held on the same services as the Mowbrays. This can only refer to the Kirkmichael land. Sir William Douglas was slain in August 1353, leaving an only daughter Mary who died without issue in 1367. That June James Douglas of Dalkeith was served heir to her in the lands of Garwald within the Barony of Kirkmichael amounting to a £40 land of and (?) Dalfeble old extent (?).

The land remained in the hands of the Douglasses of Dalkeith till 1439 when Sir James Douglas of Dalkeith resigned into the hands of the Superiro, the Earl of Crawford, the lands of Dalfibble, Garwald. The town (villa) of Dalfibble and its mill. Garvald, Mekkilholm Auchen skeoch and the Knokin favour of William Lord Crichton [it is presumed, despite the separate sentences, this was intended as a list]. The same grant as elsewhere narrated included the Raehills property.

The new owner was a man of comparatively modest origin who owned the Barony of Crichton in Midlothian whose ancestry is involved and obscure. By dint of sheer ability (ability?), total lack of principles, fine court manners, and obviously highly developed diplomatic sense, he raised himself to the highest position in the land. A ready adaptability to his surroundings soon made him a Court favourite and in 142.. he was despatched on an Embassy to Norway with which he successfully concluded a lasting peace. As a reward honours and offices of emoluments began to crowd on him. By 1435 he was Master of the King’s household. Soon afterward he became Chancellor of the Realm, this was the most powerful and coveted position in the Kingdom, fraught with the greatest danger to its holder.

To such a man, a powerful rival was the supreme danger. The Earl of Douglas, though scarcely more than a boy, was a potential peril, but Crichton had no scruples. He decoyed the Earl and his young brother to Edinburgh and beheaded them in 1440 after a mock trial. The story is well known, how at the close of the Banquet a black bull’s head was served up as a signal for the seizure of the unsuspecting Earl, and the well-known lines have imprinted the tragedy on the public imagination:

“Edinburgh Castle toun and tower,
God grant thou sink for sin,
And that even for the black dinner,
Earl Douglas got therein.”

Four years later Crichton was dismissed from his office of Chancellor and was besieged by his rivals in Edinburgh Castle but made such a good defence that he obtained a remission and restoration to favour. Shortly afterwards he was made Lord Crichtoun and again became Chancellor, which office he retained till his death in 1454. His success may largely be owed to the manner in which he retained the confidence of the Queen Mother, and he has been described by Sir Walter Scott as a consummate statesman according to the manner of his age, destitute of faith, mercy and conscience as of fear and folly. His son was Chamberlain of Scotland and died in 1454 being succeeded by William, third Lord Crichton. It was during his ownership of Kirkmichael that two local incidents of national importance occurred.

During the long minority of James II, conditions had become chaotic, with various groups of nobles competing in open strife for the person of the King and the direction of affairs. The Earls of Douglas, Crawford and Lord Hamilton had been in rebellion, which was quenched at the battle of Brechin. Alexander, fourth Earl of Crawford, thereupon submitted (“caste himselfe prostrat”) at the King’s feet for mercy and obtained repeal of his forfeiture. Not so with James, Earl of Douglas, who remained in arms and, perhaps to safeguard himself against treachery from Crawford, seized the person of the heir of his former comrade David, afterwards 5th Earl of Crawford but at that time still a minor. The circumstances of the seizure can only be inferred but it is known that David escaped from the clutches of David [this should surely read ‘James’] by the help of Herbert Johnstone of Dalebank.

Within six months the Earl of Crawford died and David succeeded as 5th Earl of Crawford. Mindful of the courageous deed of Herbert Johnstone, Earl David in gratitude for his faithful service at the time when he was held a captive by James late Earl of Douglas and chiefly for the liberation and abduction of David’s person from captivity and from the hands of the said Earl. Granted in February 1463/4 as Lord Superior of the Barony of Kirkmichael to Herbert Johnstone the lands of ?? and Glenaybank, Dalcrome and Cragchell, the two Gelnkills, Holehouse and Ledere amounting to a 15 merkland in the Barony of Kirkmichael together with the mill of the Barony and the office of Baron Baillie. [This narration must be a quote from a Deed of Grant]. Whatever may have been the exact date of Johnstone’s act full recognition of it had to wait until Earl David was of lawful age.

Meanwhile the King was dealing with the Earl of Douglas. Douglasdale was harried and burned and the Castle of Abercorn besieged and cast to the ground. Douglas and his brothers fled to England where they raised forces and invaded Annandale which at that time was garrisoned by the King's troops. They were met at Arkenholme in May 1455 by a strong Royal force under the Earl of Angus who had enlisted a number of the local gentry: The Lord Carlyle, Johnstone of that ilk, Sir Walter Scot of Kirkurde, a number of Beatties and others. The fight ended in the utter rout of the Douglas brothers.

Archibald Douglas, Earl of Murray, was slain and his bleeding and mangled head [something is clearly omitted here] through Abercorn, then besieged by the King and laid at his feet. The Earl of Ormond was wounded, taken prisoner and patched up to sufficient recovery to be beheaded. His captors were Lord Carlyle and Johnstone of that ilk. Douglas and Balvany fled to the North whence after harrying the Crown lands they retired to England.

The victorious participants in the fight received Royal rewards. Amongst the land forfeited from the Douglasses was Pedinane in Lanarkshire. John Lord Carlyle appears to have been rewarded with a grant of part of Pedinane, the rest of which amounting to a 20 merkland being granted to Matthew Johnstone of Westraw, believed to be a son of Adam Jonstone of that ilk. Sir Walter Scot of Kirkurd received lands lying in the Barony of Crawford-john. John Batison secured a grant of 2½ merkland of Dalbeath (Roxburgh). Nicolas Batison probably his brother received a similar amount of the lands of Dalbeath. John Johnstone of that ilk also received rewards by the remittances of various crown casualties due on his succession and a grant and a grant of the ward of Drumgray.

Though there is no mention of Herbert Johnstone of Dalebank, he too, was likely to have been in the fight. If as is probable he may be identified with the Herbert Johnstone who, with his brother Matthew, captured the Castle of Lochmaben in 1454, it must have been difficult for him to avoid participation. It has been written that at Arkenholme "the Royal Army was powerfully assisted by Maxwells, Scotts and Johnstones." There has not been produced any evidence to show that Lord Maxwell or any of his clan was present at the fight. Had he been there it is almost inconceivable that a man of his position should not have received some reward. It is true that at a later date the Maxwells owned Eskdale but it was not acquired as the result of Arkenholme. After that battle the Lordship of Eskdale was granted to George, Earl of Angus, the victorious leader of the Royal forces.

The other incident which had important repercussions for Kirkmichael was Albany's rebellion in 1483. This prince was the second son of King James II, was born about 1454 and directly after Arkenholme appears as Lord of Annandale. He was created Duke of Albany in 1458. For some reason he incurred the displeasure of his brother James III, and fled the realm on forfeiture in 1479. In 1482 he made an agreement with King Edward IV who was to assist him to the Throne of Scotland in return for the surrender of Berwick. In this design he was joined by the Earl of Douglas who since Arkenholme had lived in exile in England. In Scotland too they had their accomplices amongst whom was William third Lord Crichtoun, and fortunately for the conspirators Edward IV died and King Richard succeeded him, and he looked coldly on the venture.

Nevertheless the exiles decided to persist in their enterprise without English assistance. Annandale was the obvious objective. Here Albany as former Lord of Annandale would have influence and the Douglas adherents were still many. Here too, Lord Crichtoun and his followers would be in force ready to join them, and the family of Corrie were known to sympathise with the movement. Lochmaben was the natural centre for a rising and accordingly it was thither that the invaders went. If supporters were to be called out and a force enlisted it could best be done when the population of country folk from far and near were gathered in numbers. Such an opportunity occurred 24th July 1484 (the feast of St. Mary Magdalene, the patron saint of the Burgh to whom the Church was dedicated) when the annual fair was held at Lochmaben.

But the Crown authorities of Scotland were on the alert. Albany's agreement with the English was known and steps were taken to meet the invasion. Lord Crechtoun's treasonable dealings with the outlaws must have been known, for he and his brother, Gavin Crechtoun of Kirkmichael, were forfeited and a price was paid [put?] on the head of the Earl of Douglas. A reward was promised of 100 merks of land and 1000 merks in money to anyone who should kill or take captive the Earl.

The exiles must have known of these steps, but decided on the last throw of the gambler. Accompanied by Douglas, Albany crossed the border with 300 horse, vowing that they would make their offering on St. Magdalene's Day, on the High Altar of the Church of Lochmaben. If Godscroft is to be trusted, they were accompanied as far as Burnswark by a small force of English foot under Musgrave. Here the English halted to cover a retreat if necessary, whilst Albany and Douglas pushed on to Lochmaben (Hume of Godscroft implies they did not). They are believed

to have reached it, though whether they fulfilled their vow is not recorded.

According to one modern writer, a mella took place at Lochmaben between Albany's followers and the country folk in Lochmaben, which continued till the afternoon, when Crichton of Sanquhar and Charteris of Amisfield with an armed force arrived and drove the intruders from the town. Another version from a fairly accurate, but far more partial source, makes them attacked "as they rode towards Lochmaben," by the inhabitants, who had been raised by the Laird of Thrishill (sic), the Scottish Warden. The English Force at Burnswark, seeing the enemy massing for attack, incontinently fled, leaving the invaders to fight it out with their countrymen. From noon to twilight the fight continued, victory lying ultimately with the Annandale men "though it cost them much blood."

It is not known who fell on the victor's side, but Albany escaped in the dusk, and Douglas was stricken from his horse and taken prisoner by one Alexander Kirkpatrick, a former retainer of Douglas himself. Recognition was mutual, and Godscroft has preserved ("invented" would perhaps be a more suitable verb) the conversation between them. According to that apologist, Douglas revealed his identity to Kirkpatrick, which, as Sir Herbert Maxwell has properly pointed out, is for very good reasons highly improbable. Douglas is alleged to have surrendered himself, being too aged and sick at heart to continue the struggle, and to have asked Kirkpatrick to deliver him to the King. Kirkpatrick is figured as weeping tears of sorrow over the Earl's plight, and, far from thinking of the reward promised by the Crown, offered to go with the Earl to England, which was refused by Douglas, who only asked Kirkpatrick to intercede with the King for his life. Hiding the Earl in a poor cottage, Kirkpatrick successfully pleaded for the life of Douglas and claimed his reward. The Earl's life was spared and he was interned for the rest of his days in the Abbey of Lindores.

Another member of the Carruthers family who figured in the affair was Thomas Carruthers (as yet unidentified), who in consequence of services rendered prior to, but in connection with, Albany's invasion, was granted the lands of Corry and all other possessions of George Corry, formerly of that ilk, now an escheated felon for joining Albany and Douglas. The grant was dated the day after the battle, news of which could scarcely have reached Edinburgh the following day.

The services rendered by Thomas, who is described as “farinbei ri sus” [?] of the King, may have consisted of giving timely information of Lord Creighton’s implication in the invasion. It is, however, obvious that the chroniclers of this fight have only recorded the salient features. There are strong reasons for believing that Alexander Kirkpatrick did not receive the tame surrender of Douglas. It is clear that the effort was not single-handed. If others helped Kirkpatrick, resistance is implied, and resistance from a Douglas can scarcely have been ought [other?] than spirited. The pathetic battlefield conversations preserved by Godscroft (never convincing) must be discarded. The throbbing tears of Kirkpatrick and the broken accents of Douglas must be replaced by the din and turmoil of the fight.

Within a few months of the fight, Robert Charteris of Amisfield appeared as claimant of a third of the reward. The grounds of the claim are not specified, but his participation in the capture of Douglas does not seem to have been denied. Perhaps yet a third party, whose name has not been recorded, may have had a claim, for Charteris only claimed a third. Kirkpatrick had at some previous date given Charteris a bond of man-rent. It would seem that on this bond of man-rent the claim of Charteris was based. Otherwise, it is difficult to see why it was referred to in the case. Kirkpatrick did not deny the man-rent, but pleaded [pleaded?] prior letters of man-rent to the Laird of Closeburn and Henry Kirkpatrick.

The Lords of Council held that, from the evidence produced, Kirkpatrick was man of Robert Charteris before all others, but the charge against Kirkpatrick of withholding the third of “his winning quhilk he wan be aventur wer throw ye taking of Sir James of Douglas quhilk thrid extendis to 1000 merks” (sic) was adjourned to 23 March for documentary proof and four head men of each of the three borders “least suspect” were summoned to advise the Lords. Unfortunately no further record has survived.

Amongst those who performed good service for the Scots was John Master of Maxwell. He must have appeared late in the running fight, whilst Albany was falling back. It may well be that his intervention settled the fate of the day. He may have attempted to cut the line of retreat at the Kirtle. At any rate, he was wounded in the fight and whilst leaning on his sword was struck from behind and slain by one Gass, a compatriot, who had a grudge against him. The Laird of Johnstone is also named as having taken an active part in the fight and it has been suggested that the re-grant of the family estates, which he obtained on ----- [date missing], was by way of reward for his action.

Cuthbert Murray, the Laird of Cokpule, was another whose name has come down to us as present on that day at the head of his retainers. From the situation of his property, he was probably late in joining the fray, coming up with Maxwell at the critical moment on the Kirtle. John Kirkpatrick in Hesilbray was yet another who had been in the thick of the fight. He had been fortunate enough to take prisoner one “William Musgrave Englishman”, for whom he had received the respectable ransom of 80 gold angel nobles. For some reason the ransom had not been paid direct to Kirkpatrick, but to William Irving of Boushaw, who had been dilatory [dilatatory?] in handing it over as directed at the Dumfries Justice, Ayr, on which occasion Adam Johnstone of that ilk had been surety for him. Irving not having paid up, Kirkpatrick in 1508 secured a decret [decree?] against Adam Johnstone for the amount.

Two other Kirkpatricks had also secured a valuable prisoner, perhaps in conjunction with John Jardine of Applegarth. They were Jenery Kirkpatrick (probably of Knok(?)) and Thomas Kirkpatrick, who had taken prisoner John Salkeld, Englishman. His ransom amounted to £20 sterling. Jardine had possession of the prisoner and appeared also to have appropriated the ransom. At least in 1493 the Kirkpatricks brought an action against Jardine for the delivery of both. Robert Charteris of Amisfield too had a reward for his share in the victory, obtaining the lands of Polin Cree in Galloway.

A member of the Crichton family in the person of Edward Crichton, son of Sir Robert Crichton of Sanquhar, was also rewarded, not by grant of lands, but by royal confirmation of several Charters he had received previously, including one of an annual rent of £20 from Dalfibble and Garvald, granted him by William Lord Crichton. Lord Crichton and his family had been so disastrously implicated in the rebellion that their kinsman, Edward Crichton, no doubt felt it desirable to fortify his possessions and perhaps even his person by such an act of royal grace.

But the person who undoubtedly figures most prominently in the affair was Alexander Kirkpatrick, a member of the Closeburn family. For his identity we have only the authority of Godscroft, and in a single sentence he states that Alexander was both son and brother oof the Laird of Closeburn.

Alexander Kirkpatrick received the Royal reward in full. On 2nd October 1484 the Crown granted to him a £30 land lying in the barony of Kirkmichael, comprising the £10 lands of the town and plowlands of

Kirkmichael and the £20 lands of Mollin, Raehills, Monygap and Crunzanetoun; the £22 land of Dryfeholme and others in Annandale; the £20 lands of Lochbrigeame and the £18 lands of Duns in Berwickshire.

The Dumfriesshire lands had been forfeited from William Lord Creichtoun and the Berwickshire lands from Albany. The total of these lands amounted to a £90 land, which is about the equivalent of a 136 merkland; in other words, Kirkpatrick's grant came to a good deal more than the 100 merkland promised as reward. Perhaps at the time the Exchequer was empty and the Crown had to implement its promise of cash by an additional grant of lands.

Alexander Kirkpatrick first of Kirkmichael was dead by 1489. Indeed it is pretty evident he was dead by 1485. His son, Alexander 2nd of Kirkmichael, does not appear to have been infeft. He was a minor at his father's death. His ward and marriage were granted by the Crown to Sir Patrick Blacater of Tullealloun and James Carmichael of Folkertoun, who were collecting the fermes [or fermes] of the Berwickshire lands valued at £36 per annum in 1489. They proceeded to set in tack the Dumfriesshire lands (at least, Mollin, Raehills, Monygap and Crunzeantoun) to Thomas Kirkpatrick of Closeburn and Roger Kirkpatrick, and the Berwickshire lands to Sir John Hume of Duns.

They had, however, forgotten Margaret Cockburn, widow of Gavin Creichtoun, who, whilst holding the Dumfriesshire lands in property, had been forfeited for supporting Albany in his rebellion. She had married for a second time John of Wardlaw, and claimed her terce out of the lands of Raehills etc., as widow of Gavin. The claim seems to have been admitted by the granters of the ward of Kirkmichael.

No sooner had Alexander come of age than he challenged the right of Margaret and her husband. He also brought an action against the doings of his ward, charging them with sloth and lack of diligence for allowing Margaret Cockburn to recover a decret of life rent against Closeburn and Roger Kirkpatrick, tenants formerly of the donors and now of his own in Raehills etc. The damage to Alexander was considerable, amounting to £40 a year over a period of three years. In the action, which was heard on 6 February 1499/50 [possibly intended to read 1499/1500], the donees of the ward submitted that their tenants, Closeburn and Roger Kirkpatrick, ought to warrant them against such a claim, as they had apparently submitted to the decret obtained by Margaret Cockburn. Unfortunately, no record has been found of the decision of the Lords of Council in this action.

The previous month, Alexander was defender in a counter action by Margaret for withholding the rents from her, but as she did not make appearance to pursue it, it must have been dropped.

Indeed, Alexander, in coming into his estate after so long a minority, found himself compelled to take strong action to maintain and enforce his rights. His father's executors, Henry Kirkpatrick of Knok and Roger, his son and heir, held a bond given by his father for 500 merks scots, which in 1498 they proceeded to enforce against him. The tenants too of the Dryfesholme and Berwickshire lands also withheld their rents. In the former case, a number of Jardines were the aggressors, preventing him and his servants from working the lands of Dryfeholme and Bekhouse in Dryfedale. Decreet was given in Alexander's favour, but the Jardines were too smart for him and secured on 18th February 1498/9 a Crown remission for all felonies committed on his servants and the inhabitants of Dryfeholme.

It is not known in what connection Alexander Kirkpatrick second of Kirkmichael received a Knighthood, but he certainly appears as a Knight on 8 September 1504 in a complaint relating to a debt of 500 merks owing by him to Henry Kirkpatrick of Ross then dead.

Three years later he was at issue with Roger Kirkpatrick (son of the above Henry) concerning the bounds of the lands Schirfurdehauch, which lay in the barony of Kirkmichael. Roger and his men, John Russell and Roger Adamson, had been "working" these lands claimed by Sir Alexander. The bounds were perambulated in 1508, and the retour was sealed with the seal of John of Dennoune. Roger now claimed that the retour had been tampered with by Sir Alexander, who had affixed Denoune's seal after its owner's death, and that the retour was invalid.

Sir Alexander in 1511 seems to have been in possession of the lands of Strangshalloch, claimed in heritage by John Glencors of that ilk. He had set it in tack to Margaret Kirkpatrick, perhaps his daughter, wife of George Creichtoun in Belliboch, who had been ejected from the lands of Glencors. In 1523 he acted as a Judge Arbiter between Sir Robert Gordon of Glen and William Levenax of Culy (Lennox of Cally) in a dispute as to the lands of Orothor.

In the next year commenced a long litigation relating to the parsonage of Kirkmichael. The living was vacant. There were two competitors for the living, Sir Wm. Johnstoun (Sir Wm. Johnstoun, chaplain, was a cleric and

may have been of the Elshieshields family, for Sir Alexander's daughter, Katherine, was married to Wm. Johnstoun of Elshieshields, which may explain Sir Alexander's support of his candidature. R.M.S. 1513/46.939) backed by Sir Alexander and the bulk of the parishioners and John Charteris, who received all the support of his father, John Charteris of Amisfield.

The dispute not being a civil one, it was being heard by the Official of Glasgow, in whose ecclesiastical jurisdiction Kirkmichael lay. The suit had not been decided, yet John Charteris, perhaps to hasten it, applied to the civil courts and obtained letters directing the parishioners to pay him the fruits of the parsonage. Sir Alexander at once appealed to the Lords of Council for the production and suspension of these letters, but the Lords held that the letters were in order and ..[word missing].. them to have effect.

There was, therefore, no alternative but to pay the teind. Sir Alexander accordingly offered "one croune of the ..[word missing].." in part payment of teind and offered to pay the rest when informed what was due from the time John Charteris took entry. It is evident that Parson John was a layman in possession of the teinds of Kirkmichael, for there is mention of a curate to whom a fee was due for looking after the cure of souls (his name may have beenHowdennis). In August 1525, the [word missing] found that Sir Alexander still owed £4-3-4d to the parson's factor, who was a well-known churchman and notary, Sir John Turner, Chaplain, and the following May the parson seemed to have terminated the proceedings on the non-compearance of Sir Alexander.

It was probably arising out of this dispute that in 1526 trouble broke out between the owners of Kirkmichael and Amisfield. Open hostilities broke out and a pitched battle seems to have taken place. Sir Alexander was "mutilated" – a general term usually implying wounding; his eldest son Roger suffered "cruel slaughter" – also a general term not necessitating death, but which in this case did; and his three other sons, Robert, John and William, were in the thick of the fight, along with his brother, William. (Two other Kirkpatrick's figured in the fray – Henry Kirkpatrick junior, perhaps a younger son of Kirkpatrick of Knok and Alexander Kirkpatrick his brother.)

On the other side were John Charteris of Amisfield and his sons, Robert and John (the parson), and his brother Robert with 37 others. The various parties had to find caution, Roger Kirkpatrick of Knok being surety for the Kirkmichael family.

By 1533 Sir Alexander Kirkpatrick was again in trouble – this time with the Crown. He had been declared rebel and letters were issued for his apprehension, though the reason has not been ascertained. The duty of attesting him fell to the Warden, Lord Maxwell, and Ninian Crichton, the Sheriff Depute. They found it no easy duty. Sir Alexander retired from the fight along with his servant, John Blythe, and sixteen others, and received the assistance of Closeburn, Elshields and two brothers of Lag. They assembled in arms and seemed so hostile that the Warden beat a retreat. They were all summoned before the Justice Ayre on 5th Feb 1533/4, and Closeburn and Elshields were incarcerated in Edinburgh Castle.

The Berwickshire lands must always have been somewhat of a problem to the Kirkpatricks. They were too far away from Kirkmichael to be readily administered by the family. In those lawless and disturbed times outlying estates were an encumbrance, so it was not surprising that Sir Alexander decided to sell Lochbrigeame in county Berwick to Wm. Cockburn of that ilk, who received Royal confirmation in 1532. Five years later, Sir Alexander's son sold Dunsparck and Calsyde to George Hume of Aytoun.

The name of Sir Alexander's wife is not recorded, but by her he had several sons and daughters:

- (1) Roger, son and heir, slain by the Charteris in 1526
- (2) Robert, dead by 1533, leaving a widow, Marion Maxwell
- (3) William, more of whom hereafter
- (4) John, who figured as a witness in the sale of Lochbrigeame
- (5) Alexander, described as brother of William, 1558
- (6) James, mentioned in his sister's Testament
- (7) Katherine, wife of William Johnstone of Elshields, by whom she had a son, John Johnstone, and three daughters, Eupheme, Matie and Katherine. She married secondly Herbert Jardine of Auldgrith, by whom she had no recorded family. She died in October, 1573.

Sir Alexander Kirkpatrick is stated on one record to have died in 1527. If so, he must have been succeeded by his son of the same name, who must also have been Knighted. In the absence of more definite evidence, this third generation of the name of Alexander cannot be accepted. The last Alexander is known to have died in 1533/4 and the close proximity of this date to the "1527 or thereabouts" of the great ... charter of much later date rather indicates the redundancy of this generation.

William Kirkpatrick of Kirkmichael succeeded his father in [date missing] and at once began to make up the titles to his estates. In 1536 he was infeft in Dunsparck etc., but it was not till 30 January 1549/50 that he was infeft in Kirkmichael, Molin, Raehills etc.

On 28 November 1535 he secured a remission for communing with his late father whilst a rebel at the horn, and the following year obtained an important remission of feudal dues in the shape of a gift of the.. [word missing] .. of his Berwickshire estates and a gift of his own ward relief. He may have been amongst those who did not join the Crown forces at Solway Moss, for in 1540 a William Kirkpatrick in Garvald obtained a remission from remaining from that host and communing with the Douglasses.

In 1543 he was responsible for the murder of Thomas Glencors of that ilk. And the burning of his house and evidents (?). It is probable this was the culmination of a long-standing dispute. Nine years before, the families had had a process relating to the lands and rents of Gladhanholm, which were violently disputed by William Kirkpatrick and his brother. They were surrendered by John and Robert Glencors, brothers, but the hearing was adjourned and further trace has been lost.

It was during William Kirkpatrick's lairdship that a settlement was reached over the Kirklands of Kirkmichael, so fruitful a source of dispute between his families and the Charteris.

Reference has already been made to the litigation of [1512?]. John Charteris, the lay parson of that date, was dead, and had been succeeded by 1533 as lay parson by one Andrew Charteris, brother to Robert Charteris of Amisfield. Either Sir Alexander Kirkpatrick was in arrears with his share of the fruits of the parsonage, or else he thought that the time was propitious to reopen the old dispute. That February all the parties were summoned to appear, but difficulties were experienced in compelling the attendance of witnesses.

Three years later the trouble broke out afresh. William Kirkpatrick was now Laird and on 23 September 1537 he and seven others (the names of only two are given, Robert Lawson and Andrew Crechtoun) obtained from parson Andrew a tack of the teinds of Kirkmichael, for which they had to pay yearly 27 bolls (?) of meal. The tack was for three years, and on its expiration in 1540 the parson brought an action against them to account for all the profits. William at once produced his tack, which had

been registered before the Commisaries of Dumfries, but Andrew declared it was forged. But Andrew does not seem to have been able to prove it, for in the following March the action was again adjourned that ‘in hope of concord the matter be allowed to sleep.’

The whole dispute was finally laid to rest in 1551, when William obtained from the parson a recurrent three years’ tack of the parsonage, its fruits and gelege [glebe?] throughout the parson’s lifetime, paying him £40 scots a year.

Three years later (March 1554), John Charteris of Amisfield was a fugitive and his goods escheated for the daughter of Roger Kirkpatrick in Langqubat. The gift of the escheat was secured by Roger Kirkpatrick of Closeburn and William Kirkpatrick of Kirkmichael. The composition, or payment due to the Crown in return for the gift, amounted to £213-6-8d, a sum which the donors could not readily produce. This, however, they borrowed from Mr. David Carnegie, parson of Kynmonte.

With the advent of the Reformation, it is possible that William Kirkpatrick may have adhered to the old Faith at first. Certainly he was of the party that supported Mary Queen of Scots and had entered into a bond with Lord Harris and the Earl of Huntly. Pressure was consequently brought to bear on him and he saw fit in 1557 to acknowledge the lawful Coronation of James VI and to renounce his bond. This was the result of his being summoned to Edinburgh to advise the Crown as to the establishment of order on the Borders. At the same time, he subscribed a bond to obey the Lieutenant or Warden of the Marches. His subscription was appended by another hand, for he could not write.

Viewed at this distance, there is something comical in the Crown consulting the Laird of Kirkmichael on how to keep order. His ideas of the maintenance of order must have been as elementary as his calligraphy. One instance alone will suffice. In 1585 he was sommonded [summoned?] by Adam in Monygap for reiving from him in the darkness of night 120 [word missing] and 174 sheep “and dailie slay is the same at his plesour.” Adam was a trusty handyman of the Laird of Johnstone, who could be relied on, as we know from other instances, to carry out an ejection with robbery and violence and with the greatest truthlessness and gusto. The boot was now on the other foot and the reiver for once was the victim. Unfortunately for Kirkpatrick, some of the sheep belonged to Johnstone, who would not brook the daily consumption of roast mutton at Kirkmichael. The case came before the Privy Council and

though Kirkpatrick claimed to be acting under lawful and sufficient order, he was compelled to make restitution.

William Kirkpatrick married an heiress in the person of Margaret Cairns, daughter of William Cairns of Orchardton, who died in 1558. Cairns left three daughters, co-heiresses, of whom Margaret was the eldest.

[The other daughters were Janet Cairns, wife of George Maxwell, brother of Edward of Drumcoltran, and Elizabeth, wife of John Kennedy of Knockdaw. The last-named had received the gift of the ward of Dalbeattie and other lands and the marriage of Janet, which he sold for 700 merks in 1561 (?) to Wm. Kirkpatrick of Kirkmichael. Elizabeth Cairns was dead by 1573, leaving an only daughter, Janet Kennedy, who with consent of her father transferred her third of Orchardton and Dalbeattie to her aunt Margaret, wife of James Kirkpatrick in Barmure in return for 1680 merks and a discharge to Janet Cairns, wife of Drumcoltran, of one third of 1200 merks tocher promised to William Kirkpatrick of Kirkmichael with Margaret. The agreement also terminated the [word missing?] proceedings brought against Janet Kennedy by her kindly Aunt Janet, wife of George Maxwell.

Having thus secured their niece's third portion, Margaret and her second husband in 1576 proceeded to assign her third of the 4 merkland of Dalbaty [Dalbeattie?] and also Janet's third of the 9 merkland of Orchardton to Roger Kirkpatrick of Closeburn, under reversion of 1100 merks, being 700 for Orchardton and 400 for Dalbaty. They also assigned to him three reversions made to them by John Gordon for the redemption of her third of Orchardton, which she had sold to Richard Cairns, sometime of Barnebachil and others, redeeming the same with 1000 merks of the total purchase price paid by him – namely 2100 merks. A few years later, in 1581, Closeburn, having secured these lands, infeft John Gordon in Auchynreoch therein under reversion of 1100 merks.]

The date of her marriage to Kirkpatrick is not recorded, but the tocher is known to have been 1200 merks. Shortly after his death, she married secondly James Kirkpatrick in Barmure, brother of Roger Kirkpatrick of Closeburn. Her second husband having died in October 1575, she married thirdly Edward Maxwell of Tinwald. She must have died soon after 1588.

William Kirkpatrick died some time in the year 1568. The circumstances of his death are unknown, but in his well known report to the Crown on the condition of The Borders in 1578/9, Lord Harris asserts that amongst other barons, William had been slain in the general turmoil. The slaughter

of the Laird of Kirkmichael by certain Bells is mentioned as late as 1598 **and** this certainly refers to Wm. Kirkpatrick.

His testament is dated 10th June 1567, constituting his wife and two younger sons his executors. To them he left his right and kindness of the tacks of **the** Kirk of Kirkmichael.

By his wife, Margaret Cairns, had the following sons:-

- (1) Alexander, of whom hereafter
- (2) William
- (3) Michael
- (4) He had also a natural son, John Kirkpatrick, to whom he left his unnamed mailing then occupied by Roger Grier with an acre of land of the Brownlaw. John was probably much older than his half-brothers.

Alexander Kirkpatrick must have succeeded to the Kirkmichael estates at a very youthful age. He was still a minor in 1573 (his curators were Roger Kirkpatrick of Closeburn and Thomas Kirkpatrick of Alisland), when he contracted to marry Margaret, daughter of John Charteris of Amisfield, agreeing to infest her in the £10 land of the Town of Kirkmichael, but reserving the Tower of Kirkmichael.

In 1587, Alexander acted as surety in 2000 merks that John Maxwell of of Curhaith, a well known adherent of the older Faith, should do nothing in future to the prejudice of “the trew and Christiane Relligioun.” The next year he was at loggerheads with his mother. That lady had married again for the third time, and Margaret Cairns, Lady Orchardton, was now the spouse of Edward Maxwell of Tinwald. Perhaps the circumstances of the marriage may have killed any sympathy between them, but **there** can have been no excuse for his treatment of her. This time we have only her version of what happened, but as Alexander did not trouble to appear when summoned before the Privy Council, his behaviour has no redeeming feature.

Margaret Cairns must have been infest by her husband in his lands of Dargavel. These lay in an exposed position in the troubles between Lord Maxwell and the **Laird** of Johnstone.

Her houses had been burnt and she herself “cheessit fra her awne leving.” So she took refuge at her son’s house at Kirkmichael. Whilst there, Alexander suggested to her that she should renounce her living,

presumably of Dargarvel, in his favour, offering her a substitute. She refused, whereupon he applied pressure by the simple process of detention. He is stated to have shut her up in one of the chambers of the Tower of Kirkmichael, with the intention of keeping her there till she renounced her “leving” for an “unworthy portion.” Alexander, when charged to appear before the Privy Council, neither appeared nor liberated her. He was ordered to release her within six hours under pain of rebellion. It must be presumed that he complied.

In 1597 Alexander was called on to find surety to keep the peace, his father-in-law being his cautioner. Perhaps it was in connection with his dispute with Adam, brother of William Johnstone of Elschieshields, whose occupation of his lands of Scarbra was resented by Kirkpatrick (Adam has to find surety not to hurt Alexander).

In 1602, Alexander signed the General Band of the Borders, and the same year was prosecutor in a horse case. “Ane black snippit mare” – presumably a marked horse – belonging to him, worth £200, was stolen in May from his lands of Quhittisyde and was traced in July to the possession of James McCrerie in Sanquhar. The Sanquhar man was not the thief, though he well have been a receiver. Kirkpatrick at once prosecuted him for the theft. The horse was produced in Court and restoration ordained, McCrerie being told to seek relief from the person who sold the mare to him.

One cannot be surprised at Kirkpatrick’s eagerness to get back his mare, for of horses and farm stock he must have been sadly in need. On 3rd October 1599 his estate had been raided by the Johnstones of Kirkhill with their accomplices, the Johnstones of Wamphray and Cairterton, typical reckless freebooters. They must have caught Kirkpatrick napping, for in those days of Border raids, the raided party, in the absence of warning, promptly shut themselves up in their towers, leaving their livestock to look after itself. On this occasion, the surprise must have been complete, for the raiders succeeded in rushing the tower before the inhabitants could close the yett.

The unholy joy of the raiders must have been supreme. 180 sheep, twelve nolts (?), six horses and two nags were secured, “the insight” of the tower was pillaged and finally fire was applied and the Place of Kirkmichael burnt. So serious were Kirkpatrick’s losses that in the official report of the Earl of Angus, then Warden of the Western Marches (1599), it is stated that more destruction was done to the Laird of Kirkmichael within six days than all the harm done by the Johnstones.

The following year the gutted Place of Kirkmichael was selected as a station for a small garrison to establish order on the Borders. Perhaps this was by way of some compensation to Kirkpatrick, for the garrison would have to make it habitable. This was no doubt done out of public funds, and the fact that Thomas Kirkpatrick of Closeburn was placed in command of the garrison would indicate as much.

This raid was serious enough, but it appears to have been the last of a series. Of the earlier ones an account is preserved in a fragment of an Act of the Privy Council. The complaint falls under six different heads describing six different raids against Kirkpatrick between Lammas 1596 and August 1599. The Johnstones of Carterton figured in most of them, but the notorious Kirkhill was not to be left out of the picture.

The raids were lucrative affairs, and it is a marvel there was anything left alive in Kirkmichael. The loot totals up formidably – 400 Ky (?), oxen and bulls, 32 horses and 600 sheep. In addition, the woods of Kirkmichael were cut and destroyed, the house of Relikhill belonging to Kirkpatrick was destroyed with its plenishings, valued at 100 merks. An attempt of the Place of Kirkmichael itself was so satisfactory that the adjoining byres and barns were burnt, in which were incinerated 10 Ky, 2 young mares and 200 ewes in lamb. The tower itself was not taken, but its owner must have had to look on impotently at the wanton damage done to his property. The raid seems to have been at the instigation of Mr. James Douglas of Drumlanrig.

Once again, in 1606, Alexander was called on to advise the Privy Council on the best means of establishing peace on the Borders. With his, the views of Drumlanrig, Dunsfellie and others were invited. Whatever steps they may have recommended, it is unlikely that the Council paid very serious attention to them, for within a brief space of time two of its local advisors were engaged in both breaking the peace and each other's heads.

The disturbance arose over some rights to common land. On 22nd June, 1608, John McCall in Over Garrell was casting turfs on the common land of Remrig, when Herbert Johnstone in Crumzantoun, tenant of Kirkpatrick's, seized his "slaughter spade", apparently on the grounds that he had no right to be casting turfs there. McCall was the tenant of Over Garrell, which belonged to Sir James Douglas of Drumlanrig: he does not appear to have offered any resistance to Johnstone, but procured another spade and, nothing daunted, continued his work. Thereupon, Kirkpatrick and his two sons, Alexander and John, together with one

Archie Armstrong, called “Apotoshawis”, a fugitive for theft, sallied forth from the Place of Kirkmichael and gave McCall a sound thrashing.

Seven days later, a woman named Janes (Jane?) Johnstone, wife of Robert Glendining in Over Garrell, was engaged winning peats on the same ground when she was disturbed by Herbert Johnstone and pursued by him with pistol in one hand and sword in the other through the Water of Kindell [Kinneil?], where she almost perished.

This intrusion of their rights, real or imaginary, lead Kirkpatrick finally on 15 July, with his two sons and a number of others (amongst whom were not only bad characters, but such notorious ruffians as Robert Johnstone of Kirkhill in Wamphray), all armed to the teeth, to invade the lands of Remrig, destroying turfs and elding, throwing the dried peats into “peitt poths,” and threatening Drumlanrig’s tenants with their lives if they came onto the commonry again in search of peats.

Drumlanrig summoned Kirkpatrick, who appeared to answer the charge before the Privy Council and was assoilzed on his oath of verity, but his two sons failing to appear were “denounced rebels.” On 19 August, Kirkpatrick had to become surety that his two sons and other Kirkpatricks would answer to the complaint of Drumlanrig for reiving turfs and elding [??] from the town of Over Garrell. Meanwhile, Kirkpatrick’s eldest son, William, was at the horn, but obtained suspension of the horning, to which Drumlanrig, on behalf of his “poor tenants of Garrell”, lodged a protestation.

William had appeared twice to answer it and offered to abide trial. But on each occasion the proceedings had been adjourned at the instance of James Dowie, procurator for Drumlanrig, who suggested that the matter might be “friendlie dressit betwix thame at hame.” No word of the “dressing” followed, nor was warning of a further hearing given to William, who had found caution in £500 to appear and to pay the Treasurer £10 for his escheat. He accordingly complained to the Privy Council, who referred the libel to his oath of verity and he “Being deeplie swornr thairupon sittand upon his kneis,” declared his innocence and was at once assoilzed from the complaint. Thus for the moment the dispute seemed to end in February 1610.

But it was far otherwise. Elated by this success, the Kirkpatricks returned to the attack, this time turning their attention to Meikleholm. William and his brother proceeded to indulge in a cattle drive. Accompanied by no less than four score adherents, they removed 54 head of stock from

Meikleholm to Kirkmichael Place. On 13 July, 1610, they further pointed five score of cattle, with great dogs, which “pullit the laggis [?] and tailis” from the driven beasts and slew 16 cattle. The Kirkpatricks claimed it was a case of pointing, and as such it was remitted by the Privy Council to the Lords of Session.

It was obvious that the Douglasses of Drumlanrig could not tolerate such actions to remain unavenged. The retaliation took the form of the kidnapping of William Kirkpatrick. His capture was effected at Dressetland and he was at once taken to Drumlanrig. According to one statement, he was kidnapped at a football match. Accompanied by Archibald, son of William Johnstone of Elschieshields, and others, armed, William had gone on 15 July, 1610, to the ball green of the lands of Campbell, under pretext of playing with a “wood futeball.” This is the first local record of the game.

The ball – a hard inert mass – must have made a painful contact with the player’s “fute”. The game – however it was played – took place close to the gates of Drumlanrig and afforded Kirkpatrick and his friends an opportunity of provoking the Douglasses by their “bragging manner.” This scarcely sounds like a challenge, to play a friendly game. At least, the Douglasses did not interpret it in that manner, and, swallowing their sporting instincts, if they had any, they swooped out of Drumlanrig and captured the captain of the opposing “side”. (According to the evidence at the consequent criminal trial, Douglas actually did play with Kirkpatrick on the ball green during daylight – “the haill licht” – and [] the kidnapping took place after the “boilspell” dissolved. The use of the term bonspiel indicates a match between parties or parishes.)

William Kirkpatrick was detained at Drumlanrig for a week, at the end of which he was released on signing a letter to the effect that he had not been detained but had gone into Drumlanrig freely and been well used there. He also admitted in writing that the letters raised in his name against Douglas had been procured without his knowledge.

As soon as Alexander Kirkpatrick heard of his son’s capture, he took steps to effect his release. The King was at the time in the neighbourhood on a Royal progress, so Alexander appealed in person to him. The King at once issued a letter to his Privy Council on 8 October 1611. The Council replied to the King on 7 November, after making a full investigation, that William Kirkpatrick had been seized by the sheriff depute under letters of caption, and had been found consorting with rebels; that it was true Sir Alexander had obtained for William a relaxation from the letters of

caption, but that the relaxation and arrest were synchronous [sic] and there was no evidence that |drumlanrig knew of the former, though the relaxation was dated in February, whereas the arrest took place in July. At the Privy Council enquiry, neither Kirkpatrick appeared, as William was in Ireland and Sir Alexander was sick.

From a legal point of view, the case raised questions of difficulty, which the prosecution, on behalf of the Crown, did not relish. Accordingly, the Crown decided to procure the private agreement of the parties. The basis of agreement is not recorded, but the absence of the Kirkpatricks, the withdrawal of the defence and the orders of the King himself that the record of the Court should be expunged clearly indicate this termination.

The date and occasion of the knighthood conferred on Sir Alexander Kirkpatrick is unknown. It was before 1608 and after 1607 [sic].

In the above proceedings was mentioned the sickness of Sir Alexander Kirkpatrick. He was stated to have been dead by April, 1612 [?], his son, William, having been summoned home from Ireland on that account, but he seems to have survived the illness till 1617; at least, he appears in 1615 and undertook to produce his son, John, to answer a complaint by the Minister of Holywood, and in 1616 the Captain of the Guard was ordered to apprehend him at the instance of the Charteris family. He was dead by October, 1617.

He married as his first wife Margaret, daughter of John Charteris of Amisfield, and as his second wife Margaret Hamilton, who seems to have been some relation to James, Marquess of Hamilton. On the death of Sir Alexander, Margaret found herself his intrise testamentary, but by 1619 she had married for a second time John Hairt, son of the later Sir Wm. Hairt of Preston.

Three sons are recorded, but by which marriage is unknown:

- (1) William, of whom **more** hereafter.
- (2) John, named as second son, who with his elder brother caused Margaret Hamilton trouble with her late husband's corn, which they had seized, resulting in her inability to pay for her husband's funeral.
- (3) Alexander, probably her own son, who in 1618 joined with Margaret in a complaint against his brother, William, for non-delivery to them of the teind sheaves of Kirkmichael. It was this

teind case which led to the fracas between the sheriff and Provost of Dumfries.

William Kirkpatrick, the last of that family to own Kirkmichael, was, while still “younger of Kirkmichael,” cautioner in 1604 for the Laird of Closeburn. In 1607 he was still unrelaxed in a homing [?] in a process of debt due to Alexander Stewart younger of Garlies. He was party to several other bonds of surety not to harm Mr. John Johnstone, Commendator of Holywood, and that Thomas Kirkpatrick of Glendanhalm should not harm him. Just before his succession, he created a commotion in the churchyard of Kirkmichael on Sunday, 7 April, 1616, by assaulting Alexander Charteris in Craigschele, who was walking there prior to the arrival of the Minister for Service. Those present separated them, whereat William threw a whinger at Charteris, wounding him in the thigh. Such a disturbance could not be overlooked, and William had to cool his heels in the Edinburgh Tolbooth and find caution in £1,000.

Financial troubles, which had been gathering round the family in his father’s lifetime, came to a head soon after William succeeded to the estate. In 1605 Sir Alexander had alienated Mollin and Raehills. In 1607 he had had to resign the ecclesiastical lands of Garvald, formerly belonging to the Convent of Failfurd, and also 40/- [forty-shilling] lands of Lochermoss or Dargavell, which were consequently feued for the Crown to Thomas Kirkpatrick of Closeburn.

These lands of Lochermoss or Dargavell were first acquired by William Kirkpatrick of Kirkmichael in 1562 under reversion from John Lawson, son and apparent heir of John Lawson in Ruikane [Roucan?]. The land was a 5/- land in Dargavell formerly owned by Andro [sic] Bell and called Bellsfield. In addition to this pendicle [?], he owned the 40/- lands of over and nether Dargavel, adjoining, though the date of its acquisition is unknown. In 1602 James Commondath of Melrose issued a precept to infest therein Alexander, as heir to his father, William Kirkpatrick.

This 40/- land Alexander transferred under reversion to Sir Thomas Kirkpatrick in 1607. That August, Sir Alexander, with the concurrence of Sir Thomas, infest William Haliday (son of Robert Haliday in Nether Dargavel) in the 10/- land of Nether Dargavel. Similarly David Scott in Dargavel was infest under reversion in the 25/- lands of Mid Dargavel. Next year, Sir Alexander and Sir Thomas resigned their interest, and the Crown granted the 40/- land to Adam Cuninghame Advocate and his heirs, whom failing, to Herbert Cuninghame, common Clerk of Dumfries.

This was followed in 1616 by the resignation of a third of the nine merkland of Orchardton inherited from his mother, which the Crown then granted to the Maxwells of Orchardton. There remained the Kirkmichael and Dryfesdale lands, and these were disposed of the next year by William Kirkpatrick to Sir John Charteris of Amisfield. (William had been served heir special to his father in the ancestral estates on 13 April 1621, no doubt to make a valid title for Charteris).

But the association of Kirkpatrick with Kirkmichael was not entirely at an end. That same year (1617) he acquired from Adam Cunynghame, Advocate, the 15 merklands of Neis, Glenebank, Cranisheles etc., with the exception of a small piece of land. These lands had been part of the old barony of Kirkmichael, and their history is briefly sketched on p..... [\[missing page reference?\]](#). This small property too he was not to retain long, having to resign it in 1622 in favour of Sir John Charteris.

Thus ended the connection of [the](#) Kirkpatrick family with Kirkmichael, and the story of their estates as a separate landed entity. William Kirkpatrick himself disappears from history, only emerging in 1629, to be served heir general to his great grandfather, Alexander, and again in 1657, when he was served heir general to his mother.

[\[End\]](#)